

NORTH WHIDBEY PARK AND RECREATION DISTRICT
Island County, Washington
January 1, 1989 Through December 31, 1991

Schedule Of Findings

1. All District Meetings Need To Be Open Public Meetings

During the audit period January 1989 to December 1991, the district held additional monthly meetings, usually on Wednesdays, two weeks before the regularly scheduled meetings. These additional meetings were not scheduled properly as special meetings with proper notice for them to be open public meetings. Regularly scheduled meetings, required by RCW 36.69.120, were held on the Wednesday after the third Monday of each month. These regularly scheduled meetings were provided by district ordinance as required by RCW 42.30.070.

RCW 42.30.030 provides in part:

All meetings of the governing body of a public agency shall be open and public

However, any additional meetings must be special meetings as provided by RCW 42.30.080 which states in part:

A special meeting may be called at any time by the residing officer of the governing body by delivering personally or by mail written notice to each member of the governing body; and to each local newspaper of general circulation . . . Such notice must be delivered personally or by mail at least twenty four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted.

District officials apparently believed that they were not taking any action during the special meetings but were using these meetings to primarily review and approve vouchers for payment prior to each regular meeting. Also, they felt that in these meetings they were only holding discussions and, therefore, were not subject to the Open Public Meetings Act. The district stopped these special meetings in November 1991.

District officials were not aware that Laws of 1985, Chapter 366, paragraph 1 amended RCW 42.30.020(3) to include:

'Action' means . . . including but not limited to . . . receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations . . . (1985 amendments underscored.)

As a result, these special meetings were not open to interested members of the public.

We recommend that district officials familiarize themselves with all the provisions of

Chapter 42.30 RCW and only hold meetings in accordance to these statutory provisions.

2. Minutes For All District Meetings Need To Be Recorded

District officials did not prepare minutes for the monthly special meetings during 1989, 1990, and 1991. Also, the district could not locate the minutes for the regular March 1991 meeting.

RCW 42.32.030 requires:

The minutes of all regular and special meetings except executive sessions . . . shall be promptly recorded and such records shall be open to public inspection.

The district did not believe the special meetings were subject to the Open Public Meetings Act and, therefore, no minutes were necessary. The district could not offer an explanation for the missing March 1991 minutes.

As a result, the public does not have access to the official minutes of district meeting discussions for these meetings.

We recommend that the district officials record and maintain minutes for all regular and specials meetings as required by law.